

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DAVID B. BINDER, et al.,

Plaintiffs

v.

PPL CORPORATION, et al.,

Defendants

Case No. 5:22-cv-00133

UNOPPOSED MOTION TO ADMIT KEVIN A. KRAFT PRO HAC VICE

Pursuant to Local Rule of Civil Procedure 83.5.2(b), Peter H. LeVan, Jr., counsel for Defendants PPL Corporation, PPL Services Corporation, Board of Directors of PPL Corporation, Board of Directors of PPL Services Corporation, Employee Benefit Plan Board of PPL Corporation, and LG&E and KU Energy LLC (collectively, the “PPL Parties”), hereby moves for the admission pro hac vice of Kevin A. Kraft, and in support thereof avers as follows:

1. Mr. Kraft is counsel in the Financial Services litigation group of O’Melveny & Myers LLP (“O’Melveny”) in Los Angeles, CA. Mr. Kraft’s contact information is as follows:

Kevin A. Kraft
O’MELVENY & MYERS LLP
400 South Hope Street, 18th Floor
Los Angeles, CA 90071
213-430-7460
kkraft@omm.com

2. Mr. Kraft is a member in good standing of the bar of the State of California, where he was admitted in 2017.

3. Mr. Kraft is also admitted to practice in the following federal jurisdictions: United States Court of Appeals for the Ninth Circuit (August 21, 2020); United States Court of Appeals

for the Third Circuit (April 21, 2022); and United States District Court for the Central District of California (January 22, 2018).

4. No disciplinary or other proceedings are pending against Mr. Kraft, and no such proceedings have ever been brought.

5. Mr. Kraft represents the PPL Parties in connection with this matter and is familiar with the relevant facts and issues of the dispute. *See* Declaration of Mr. Kraft, attached hereto as Exhibit A.

6. The fee required by Local Rule of Civil Procedure 83.5.2(b) will be paid in connection with this filing.

7. The efficient administration, prosecution and resolution of this case will be materially advanced by the admission pro hac vice of Mr. Kraft.

8. O'Melveny's Financial Services litigation group has represented plan sponsors in dozens of putative class actions nationwide challenging the investment options and fees associated with 401(k) plans. Chambers USA and The Legal 500 US have consistently recognized the group, ranking it "among the very best in the country" and describing its members as "masterful, strategic litigators" who are "familiar with the true legalities of each case." Chambers USA ranks O'Melveny as one of only two Band-1 firms for ERISA litigation. O'Melveny also has significant experience litigating ERISA fiduciary breach cases against plaintiffs' counsel in this case, the Schlichter Firm, which is also nationally recognized. Because of the specialized nature of these actions, the PPL Parties have selected O'Melveny as defense counsel for this matter.

9. Plaintiffs do not oppose the pro hac vice admission of Mr. Kraft.

WHEREFORE, undersigned counsel for the PPL Parties respectfully requests that this Court enter an Order in the form attached hereto admitting Mr. Kevin A. Kraft pro hac vice for all purposes in this case.

DATED: March 22, 2023

LeVAN STAPLETON SEGAL COCHRAN LLC

/s/ Peter H. LeVan, Jr.

Peter H. LeVan, Jr. (PA ID 83456)

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Attorneys for Defendants PPL Corporation, PPL Services Corporation, Board of Directors of PPL Corporation, Board of Directors of PPL Services Corporation, Employee Benefit Plan Board of PPL Corporation, and LG&E and KU Energy LLC

CERTIFICATE OF SERVICE

I certify that on this day I caused a true and correct copy of the foregoing Unopposed Motion to Admit Kevin A. Kraft Pro Hac Vice, along with the supporting declaration and proposed order, to be filed using the Court's Electronic Filing System ("ECF System"). The documents are available for viewing and downloading via the ECF System and will be served by operation of the ECF System upon all counsel of record.

Dated: March 22, 2023

LeVAN STAPLETON SEGAL COCHRAN LLC

/s/ Peter H. LeVan, Jr.

Peter H. LeVan, Jr.